



RCE 1616\$
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REQUEST

FOR

CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 USC 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application No.	09/667,328
Filing Date	September 21, 2000
First Named Inventor	PACE et al.
Group Art Unit	1616
Examiner Name	S. S. Gollamudi
Attorney Docket No	401909/SKYEPHARMA

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

NOTE: 37 CFR 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 CFR 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000); 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 CFR 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered.)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - iii. Other:
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Form PTO-1449 (8 pages)
 - v. Copies of documents listed in Form PTO-1449 (227 documents)
 - vi. Other: Assignment w/recording transmittal; Request for Recordation of Name Change; Petition to Correct Inventorship; Consent of Existing Assignee to Correct Inventorship; Statement under 37 CFR 1.48(a) by Robert A. Snow; Declaration from Inventors.

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; fee under 37 CFR 1.17(i) required.)
- b. Applicant claims small entity status. See 37 CFR 1.27
- c. Other:

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. The following fees are enclosed:
 - i. RCE fee of \$750.00 (large entity) required under 37 CFR 1.17(e) \$750.00
 - ii. Three-month extension of time fee of \$930.00 (37 CFR 1.136 and 1.17) \$930.00
 - iii. Suspension of action fee of \$130.00 (37 CFR 1.17(i))
 - iv. Other: Additional claim fee: 16 claims, 1 independent (\$372); Petition fee (\$130); Assignment recordation (\$40); Name Change Recordation (\$40). \$582.00

TOTAL FEES ENCLOSED \$2,262.00

- b. Check in the amount of \$ enclosed
- c. The Commissioner is hereby authorized to charge the above fees to Deposit Account No. 12-1216
- d. The Commissioner is hereby authorized to charge any deficiencies in the above fees or to credit any overpayments to Deposit Account No. 12-1216

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01 FC:1801 750.00 CH
02 FC:1253 930.00 CH

Request For Continued Examination Transmittal

Application No. 09/667,328 Attorney Docket No. 401909/SKYE

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

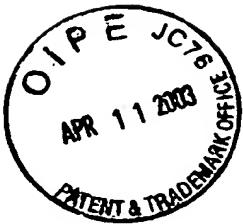
Name (Print/Type)	Xavier Pillai	Registration No. (Attorney/Agent)	39,799
Signature		Date	April 11, 2003

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this RCE Transmittal is, on the date indicated below, being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or being facsimile transmitted to the U.S. Patent and Trademark Office.

Name (Print/Type)			
Signature		Date	

RCE Transmittal (Revised 12/31/02)



RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1600

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4/16/03
RECEIVED
TECH CENTER 1600
APR 16 2003
PATENT

Attorney Docket No. 401909/SKYEPHARMA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

PACE et al.

Application No. 09/667,328

Art Unit: 1616

Filed: September 21, 2000

Examiner: S. S. Gollamudi

For: SURFACE MODIFIED PARTICULATE
COMPOSITIONS OF BIOLOGICALLY
ACTIVE SUBSTANCES

RESPONSE TO OFFICE ACTION

Commissioner for Patents
Box AF
Washington, D.C. 20231

Dear Sir:

In response to the Official Action mailed October 16, 2002, please enter the following amendment and consider the following remarks. Pages showing the requested changes are attached. This response is accompanied by a RCE.

AMENDMENTS

IN THE SPECIFICATION:

Please amend the paragraph beginning at page 16, line 29:

In one aspect, preferred biologically active substances members of the group consisting of an antihypertensive drug; nifedipine; and anticholinergic drug; ursodiol; a drug for treating a gastro-intestinal disorder; budesonide; an antineoplastic drug; paclitaxel; camptothecin; a derivative of paclitaxel; a derivative of camptothecin; an NSAID; piroxicam; an anti-fungal agent; itraconazole; an anti-viral agent; acyclovir; a derivative of acyclovir, a cholesterol